



Michigan Department of Environmental Quality
Air Quality Division

Proposed Amendments to Michigan Air Pollution Control Rules

The table below provides a list of the current Air Pollution Control Rules approved for revision or promulgation and provides additional information about the changes.

If you have technical, administrative or rule promulgation questions please contact Robert Irvine at 517-373-7042 or the contact listed within the rules information.

Click on the Rule Package Identification Number in the table for available explanations and links to rule process documents.

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The Office of Regulatory Reinvention (ORR) must approve "Requests for Rulemaking" prior to the process beginning. All final rules will be located at [ORR's main website](#). The ORR website also contains links to some documents for the proposed changes.

Part 1: 2011-012 EQ

Staff Contact: [Carrie Barr](#), 517-373-7069

On March 21, 2011, the State Office of Administrative Hearings and Rules approved a to revise R 336.1119 and R 336.1122. This will modify the existing definition in Air Pollution Control Rule R336.1119 (e) "Significant" to add a significance threshold for the new PM2.5 pollutant, and amend the existing definition in R336.1122 (f) "Volatile organic compound" by adding to the list of compounds with negligible reactivity.

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Part 2: 2010-035 EQ

Staff contact: [Teresa Cooper](#), 517-335-2247, or [Heidi Hollenbach](#), 616-356-0243

Existing rules in Part 2 provide Michigan with the legal authority to require applications for, write, and issue Renewable Operating Permits that comply with the federal requirements under Title V of the Clean Air Act. Recent federal-level promulgation of new rules that modify applicability thresholds under Title V for greenhouse gases requires that Michigan modify Rule 210 and Rule 211 to allow permitting of facilities subject to federal Title V requirements by virtue of greenhouse gas emissions only. Rule 299 contains all of the standards that have been adopted by reference in the existing Part 2 rules. Modification of Rule 211 will also require that Rule 299 be modified to include the adoption by reference of the United States Environmental Protection Agency's rule, 40 C.F.R., part 98, subpart A, "Table A-1 – Global Warming Potentials," which gives the global warming potential for each of the six greenhouse gases. Rule 299 is also being modified to update and correct other adoption by reference information.

Rules 214 and 217 must be modified so they correctly cross-reference other sections of the part 2 rules that have been modified by the revisions in this rules set.

Rule 208a and 211(1)(a)(ii) are being revised so that they comply with federal requirements for Michigan's Department of Environmental Quality (MDEQ) permitting program regarding PM2.5, which is a new air quality standard. Rule 211(1)(a)(ii) adds an applicability threshold for PM 2.5 to the list of thresholds for other pollutants. Rule 208a allows sources with actual emissions of PM 2.5 that are less than 50% of the applicability threshold established in Rule 211(1)(a)(ii) to limit their potential to emit by registration, thus relieving them of the requirement to obtain a Title V Permit.

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Part 3: 2009-020 EQ - Withdrawn

Staff contact [Jim Ostrowski](#) at 517-241-8057.

Revisions to R 336.1310 (pertaining to open burning)

Additional information can be found at the following location:

[Open Burning Rule Amendments](#)

Part 4: 2011-029 EQ

Staff contact: [Teresa Cooper](#), 517-335-2247,

Part 4 Sulfur Emissions. This rules package contains minor revisions to rules 401, 402, 404, and 407 to correct deficiencies identified by the United States Environmental Protection Agency (U.S. EPA). Effective January 31, 2008, the Air Quality Division (AQD) promulgated revisions and additions to the Part 4 Rules and submitted them to U.S. EPA as a revision to Michigan's State Implementation Plan (SIP) under the federal Clean Air Act.

Rule 420 will be revised to address changes that U.S. EPA requested in the SIP for the Clean Air Interstate Rules.

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Part 6: 2011-031 EQ

Staff Contact: [Carrie Barr](#), 517-373-7069

Part 6: Existing Sources of Volatile Organic Compounds. Current Rule 618 is unclear, and therefore difficult to comply with and to enforce. The rule is being revised to clarify the requirements for use of cutback asphalts and emulsified asphalts, and to define cutback asphalts and emulsified asphalts.

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Part 8: 2011-030 EQ

On hold pending resolution of federal court actions.

Contact [Teresa Cooper](#), 517-335-2247.

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Part 9: 2012-017 EQ

Staff Contact: [Carrie Barr](#), 517-373-7069

Part 9 Miscellaneous sources and emissions. Current Rule 902 is a rule containing adoption of standards by reference for the current Part 9 rules. The adoption of standards by reference for the proposed Rules 948, 949 and 950 will be added to Rule 902 and the adoption dates and costs listed for all the standards will be updated.

Current Rule 933 will be rescinded because there are no hospital/medical/infectious waste incinerator units in the state that are affected by this rule.

Rule 948 will adopt by reference the United States Environmental Protection Agency's (U.S. EPA's) rule, 40 CFR Part 63, subpart YYYYY, promulgated December 28, 2007, which requires a pollution prevention plan to restrict the amount of chlorinated plastics, lead, and free organic liquids charged to an electric arc furnace and restricts charging the furnace with certain metallic scrap, such as engine

blocks and transformers. It also requires the removal of mercury switches from motor vehicle scrap before it is used. Rule 948 would prevent the introduction of contaminants such as oil, mercury, and chlorinated plastics to electric arc furnaces which would reduce the level of hazardous toxic air contaminants emitted.

Rule 949 will adopt by reference the U.S. EPA's rule, 40 CFR Part 63, subpart ZZZZZ, promulgated January 2, 2008, which contains management practices for iron and steel foundries and specifies requirements for scrap not to contain certain items and materials, such as oil filters and chlorinated plastics. It also requires the removal of mercury switches from motor vehicle scrap before it is used. Rule 949 prevents the same type of contaminants as listed for Rule 948 from being introduced to the steel making process, thereby reducing the level of toxic air contaminants emitted into the air.

Rule 950 will adopt by reference the U.S. EPA's rule, 40 CFR Part 63, subpart ZZZZZZ, promulgated September 25, 2009, which contains management practices for aluminum, copper, and other non-ferrous foundries and specifies requirements for scrap to be depleted to the extent practicable of hazardous metals. It also requires a management practices plan to reduce toxic air emissions and establishes particulate emission limits for large copper and other non-ferrous foundries. Rule 950 would prevent the introduction of contaminants such as lead, manganese, nickel, chromium, cadmium and beryllium into aluminum, copper and other non-ferrous melting furnaces and thereby reduce the level of hazardous toxic air contaminants emitted into the air.

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Part 18: 2011-035 EQ

Staff contact: [Robert Irvine](#), 517-373-7042.

Part 18, Prevention of Significant Deterioration of Air Quality. Modify existing language in Air Pollution Control Rules R 336.2801, R 336.2803, R 336.2809, and R 336.2816 to be consistent with the federal requirements for the Prevention of Significant Deterioration of Air Quality, Title 40 of the Code of Federal Regulations, Section 51.166.

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Part 19: 2011-036 EQ

Staff contact: [Robert Irvine](#), 517-373-7042.

Part 19, New Source Review for Major Sources Impacting Nonattainment Areas. Modify existing language in Air Pollution Control Rules R 336.2901, R 336.2903, and R 336.2908 to be consistent with the federal requirements for the New Source Review, Title 40 of the Code of Federal Regulations, Part 51, Subpart I.

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